IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 63 of 2004 (M/B)

1. Sri B.K. Kapoor,
   45, Sunder Nagar,
   New Delhi 110003.
2. Sri B.B. Virmani,
   1122-A, Hemkunt Chambers,
   89, Nehru Place, New Delhi-19. …… Petitioners

Versus

1. Union of India,
   through Secretary, Ministry of Law,
   Shastri Bhawan, Rajindra Prasad Road,
   New Delhi.
2. State Bank of India,
   A Body Corporate, Duly constituted under
   State Bank of India Act, 1955,
   Having its Central Office at Bombay and
   One of its Local Office at Moti Mahal Marg,
   Lucknow and Inter alia
   One of its Branch Office at Kashipur,
   Through its Chief Manager / Principal Officer,
   Kashipur Branch. …… Respondents

JUDGMENT

Coram: Hon. Rajeev Gupta, C.J.
Hon. Prafulla C. Pant, J.

RAJEEV GUPTA, C.J. (Oral)

Petitioners' counsel absent.

None for the respondents.

2. The petitioners have filed this writ petition for the following reliefs:

> "a. issue a writ in the nature of certiorari or any other appropriate writ, direction or order quashing / striking down Section 13, 15 and 34 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest (Second) Ordinance / Act, 2002;
>
> b. issue an appropriate writ, direction or order quashing Notice dated 14.01.2003 (Annexure P-1) under Section 13(2) of the said Ordinance, issued by Respondent No. 2; and
>
> c. pass such other and further order/s as may be deemed fit an proper in the facts and on the circumstances of the case."

3. The Constitutional validity of Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 has been upheld by the Apex Court in the case of **Mardia Chemicals Ltd. and others Vs Union of India and others** reported in **(2004) 4 SCC 311.**

4. As there is no representation on behalf of the petitioners, the writ petition is dismissed for want of prosecution.

(Prafulla C. Pant, J.) **(Rajeev Gupta, C.J.)**

24.04.2006 **24.06.2006**

G